

REMARKS

Claim 10 has been cancelled, without prejudice.

It is submitted that no new matter has been introduced by the foregoing amendment. Approval and entry of the amendment is respectfully solicited.

Restriction Requirement

On page 2 of the Office Action, the Examiner issued a four-way restriction requirement pursuant to 35 USC §§ 121 and 372. The restriction divided the claims into the following allegedly distinct inventions: Group I "drawn to an antibody capable of recognizing two regions of the beta-amyloid peptide, pharmaceutical compositions thereof, nucleic acid molecules, vectors, and hosts cell encoding said antibody, and method for producing said antibody" containing claims 1-16, 22, and 28-30; Group II "drawn to a method for the optimization of an antibody molecule or preparation of a pharmaceutical composition using said optimization method" containing claims 23-27; Group III "drawn to a method of treating or preventing a disease associated with amyloidogenesis and/or amyloid-plaque formation, comprising administering an antibody capable of recognizing two regions of the beta-amyloid peptide" containing claims 31-35 and 38-40; and Group IV "drawn to a method for detecting a disease associated with amyloidogenesis and/or amyloid-plaque formation" containing claims 36-37. (Paper No. 20070524 at 2).

In accordance with restriction practice, the subject matter of **claims 1-16, 22, and 28-30 (Group I)** is hereby elected for prosecution with traverse.

In addition, the Examiner issued a requirement to elect a single species to one of:

- A) MSR-3 antibody,
- B) MSR-7 antibody, and
- C) MSR-8 antibody.

(Paper 20070524 at 4).

In accordance with election of species practice, **B) MSR-7 antibody** is elected for purposes of Examination with traverse.

The Examiner further required an election of "a single cross-cloned antibody species, as listed in claim 10, corresponding to the elected antibody of one of A-C above." (*Id.*).

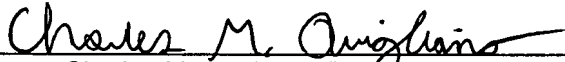
In view of the cancellation of claim 10, it is respectfully submitted that the Examiner's further required species election is now moot.

The Examiner further required that applicant identify "the claims encompassing the elected invention." (*Id.* at 5). The elected species invention is encompassed by elected claims 4-7 and 8. (*Id.*).

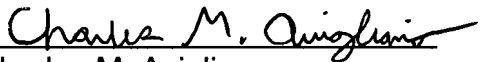
Application No.: 10/505,313
Amendment Dated: July 23, 2007
Reply to Office Action Dated: June 5, 2007

Accordingly, for the reasons set forth above, entry of the amendment and allowance of the claims are respectfully requested. If the Examiner has any questions regarding this paper, please contact the undersigned.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on July 23, 2007.


Charles M. Avigliano, Reg. No. 52,578

Respectfully submitted,

By: 
Charles M. Avigliano
Registration No. 52,578
BRYAN CAVE LLP
1290 Avenue of the Americas
33rd Floor
New York, NY 10104-3300
Phone: (212) 541-2000
Fax: (212) 541-4630